

Application No. 09/909,980
Response to Office Action

Customer No. 01933

Listing of Claims:

Claim 1 (Canceled).

2. (Currently Amended) ~~The~~ An apparatus according to claim 24, for forming an artificial valve to treat gastroesophageal reflux disease, comprising:

5 a first endoscope that has an observation system and that is adapted to be orally inserted into a body cavity;

a holding device extending out of a distal end of the first endoscope, the holding device comprising a distal end portion adapted to hold a point of a digestive wall of the body cavity where the artificial valve is to be formed, and an elongated
10 portion that passes through a first channel provided in the first endoscope;

a first needle that is moveable relative to the first endoscope for penetrating the digestive wall;

15 a second needle positioned beside and spaced apart by a distance from the first needle;

a suture adapted to pass through the digestive wall following the first needle;

a suture retaining device having a grasping section adapted to grasp the suture after the suture has passed through the
20 digestive wall, wherein the suture retaining device is adapted to

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pull the suture out from the body cavity; [[,]] and ~~wherein the apparatus further comprises:~~

25 a knot pushing device adapted to move a knot of the suture, which is formed outside the body cavity after the suture has been pulled out from the body cavity by the suture retaining device, into the body cavity.

Claims 3-6 (Canceled).

7. (Currently Amended) ~~The~~ An apparatus according to claim 1, further for forming an artificial valve to treat gastroesophageal reflux disease, comprising:

a first endoscope that has an observation system and that is adapted to be orally inserted into a body cavity;

a holding device extending out of a distal end of the first endoscope, the holding device comprising a distal end portion adapted to hold a point of a digestive wall of the body cavity where the artificial valve is to be formed, and an elongated portion that passes through a first channel provided in the first endoscope;

a first needle that is moveable relative to the first endoscope for penetrating the digestive wall;

a second needle positioned beside and spaced apart by a distance from the first needle;

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a suture adapted to pass through the digestive wall
following the first needle; and

a second endoscope, wherein the first needle and the second
needle are disposed on an outer periphery of the second
endoscope.

8. (Currently Amended) ~~The~~ An apparatus according to
claim 24, further for forming an artificial valve to treat
gastroesophageal reflux disease, comprising:

5 a first endoscope that has an observation system and that is
adapted to be orally inserted into a body cavity;

a holding device extending out of a distal end of the first
endoscope, the holding device comprising a distal end portion
adapted to hold a point of a digestive wall of the body cavity
where the artificial valve is to be formed, and an elongated
10 portion that passes through a first channel provided in the first
endoscope;

a first needle that is moveable relative to the first
endoscope for penetrating the digestive wall;

15 a second needle positioned beside and spaced apart by a
distance from the first needle;

a suture adapted to pass through the digestive wall
following the first needle;

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20 a suture retaining device having a grasping section adapted to grasp the suture after the suture has passed through the digestive wall; and

a guide member having a through hole provided side by side with the holding device;

wherein the suture retaining device is moveable in the through hole of the guide member..

Claim 9 (Canceled).

10. (Currently Amended) ~~The~~ An apparatus according to claim 1, further for forming an artificial valve to treat gastroesophageal reflux disease, comprising:

5 a first endoscope that has an observation system and that is adapted to be orally inserted into a body cavity;

a holding device extending out of a distal end of the first endoscope, the holding device comprising a distal end portion adapted to hold a point of a digestive wall of the body cavity where the artificial valve is to be formed, and an elongated portion that passes through a first channel provided in the first endoscope;

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a first needle that is moveable relative to the first endoscope for penetrating the digestive wall;

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15 a second needle positioned beside and spaced apart by a
 distance from the first needle;

a suture adapted to pass through the digestive wall
 following the first needle; and

 a second endoscope, wherein the first needle extends from a
distal end of the second endoscope.

Claims 11-19 (Canceled).

20. (Currently Amended) The apparatus according to
claim ~~±~~ 10, ~~further comprising a second endoscope, wherein the~~
~~first needle and the second needle extend out of a~~ extends from
the distal end of the second endoscope.

Claims 21 and 22 (Canceled).

23. (Currently Amended) ~~The An~~ apparatus according to
~~claim 22, for forming an artificial valve to treat~~
gastroesophageal reflux disease, comprising:

an endoscope that has an observation system and that is
 adapted to be orally inserted into a body cavity;

a holding device extending out of a distal end of the
 endoscope, the holding device comprising a distal end portion
 adapted to hold a point of a digestive wall of the body cavity

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where the artificial valve is to be formed, and an elongated portion that passes through a first channel provided in the endoscope;

a first needle that is moveable relative to the endoscope for penetrating the digestive wall; and

a suture adapted to pass through the digestive wall following the first needle;

wherein the endoscope comprises:

an elongated insertion section;

a handle section; and

an opening through which the first needle extends provided at a position on a proximal side of the distal end of the endoscope; and

wherein the observation system comprises an optical system provided at each of the distal end and a portion near the opening of the endoscope.

Claim 24 (Canceled).

25. (Currently Amended) ~~The An~~ apparatus ~~according to claim 1, further for forming an artificial valve to treat gastroesophageal reflux disease,~~ comprising:

a first endoscope that has an observation system and that is adapted to be orally inserted into a body cavity;

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10 a holding device extending out of a distal end of the first
endoscope, the holding device comprising a distal end portion
adapted to hold a point of a digestive wall of the body cavity
where the artificial valve is to be formed, and an elongated
portion that passes through a first channel provided in the first
endoscope;

a first needle that is moveable relative to the first
endoscope for penetrating the digestive wall;

15 a second needle positioned beside and spaced apart by a
distance from the first needle;

a suture adapted to pass through the digestive wall
following the first needle;

 a second endoscope; and

20 a sheath provided outside of the second endoscope, wherein
the first needle extends from a distal end of the sheath.

Claims 26-30 (Canceled).

31. (Previously Presented) The apparatus according to
claim 25, further comprising an additional sheath provided
outside the second endoscope, wherein the second needle extends
from a distal end of the additional sheath.